

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-cr-20066-KMM

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERICA BONTEMPO MESQUITA COSTA,

Defendant.

MOTION FOR *FARETTA* HEARING

Comes Now the undersigned, on behalf of Defendant Erica Bontempo Mesquita Costa (“Defendant”), and requests a hearing pursuant to *Faretta v. California*, 422 U.S. 806 (1975) for the reasons set forth below.

On January 17, 2025, Defendant was taken into ICE custody.

On February 4, 2025, Defendant was charged via Complaint, and was transferred from ICE to federal custody on February 6, 2025.

On February 6, 2025, Defendant made her initial appearance, and The Honorable Magistrate Judge Eduardo I. Sanchez held her on temporary pretrial detention based on the fact that INS had a detainer placed upon her.

Also on February 6, 2025, the undersigned was appointed as CJA counsel to represent Defendant.

On February 19, 2025, pursuant to an agreement with the undersigned counsel, the Government filed an Information charging the Defendant with illegal reentry pursuant to 8 USC § 1326.



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On February 20, 2025, at the scheduled arraignment on the filed Information, the Defendant advised the Court that she would not waive Indictment and that she wished to represent herself in this matter. The Honorable Magistrate Judge Edwin Torres advised the undersigned and counsel for the Government to contact this Court's chambers in order to schedule a *Faretta* hearing on Defendant's request to represent herself.

The Court instructed the undersigned to remain as CJA counsel on the case until this Court rules on the *Faretta* motion. Magistrate Torres also reset the arraignment for March 6, 2025, at 10:00 a.m.

CERTIFICATE OF CONFERRAL PURSUANT TO LOCAL RULE 88.9

On February 20, 2025, the undersigned communicated with Assistant United States Attorney Andres E. Chinchilla who advised that the Government does not object to the Court granting this motion.

WHEREFORE, the undersigned, on behalf of the Defendant, requests that the Court schedule a *Faretta* hearing as soon as possible.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 20, 2025, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF.

Respectfully submitted,

QUINTERO BROCHE, P.A.

Attorneys for Defendant

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By: /s/ Frank Quintero, Jr.
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